

AMENDED IN ASSEMBLY APRIL 9, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 2076

Introduced by Assembly Member Ma

February 23, 2012

An act to amend ~~Section~~ *Sections 68085.1, 68086, 68086.1, and 69953.5* of the Government Code, relating to courts.

LEGISLATIVE COUNSEL'S DIGEST

AB 2076, as amended, Ma. Official court reporter fee.

Existing law requires the charge of an official court reporter fee, in addition to any other fee required in civil actions or cases, for each proceeding lasting more than one hour, in an amount equal to the actual cost of providing that service per ~~one-half~~ ^{1/2} day of services to the parties, on a pro rata basis, for the services of an official court reporter on the first and each succeeding judicial day those services are provided, as specified. Fees collected pursuant to this provision may be used only to pay for services of an official court reporter in civil proceedings. ~~Existing law requires the Judicial Council to report on or before February 1 of each year to the Joint Legislative Budget Committee on specified fees collected by courts, and the total amount spent for services of official court reporters in civil proceedings statewide in the prior fiscal year. Existing law further requires that, whenever a daily transcript is ordered in a civil case requiring the services of more than one reporter, the party requesting the transcript must pay a fee equal to the per diem rate for pro tempore reporters in addition to any other required fee.~~

This bill would ~~permit~~ *require the official court reporter fee to be charged for each proceeding lasting more than an unspecified number*

of minutes and would authorize the court in which the official court reporter fee was collected to retain that fee. The bill also would repeal the above-described reporting requirement of the Judicial Council. The bill would also authorize the court collecting a per diem fee for a daily transcript to retain that fee to offset the cost of the additional court reporter.

Existing law establishes filing fees in specified civil proceedings. Existing law further establishes the Trial Court Trust Fund and requires that \$30 of the amount distributed to the Trial Court Trust Fund from specified filing fees be used for the services of an official court reporter in civil proceedings.

The bill would require that \$30 of specified filing fees be retained by the court in which the fee was collected and be used for official court reporter services in civil proceedings.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1. It is the intent of the Legislature in enacting this~~
2 ~~act to authorize local trial courts to retain the civil court reporter~~
3 ~~fee collected pursuant to Section 68086 of the Government Code,~~
4 ~~to incentivize the consistent and efficient collection of the~~
5 ~~mandated civil court reporter fee and to continue an incentive for~~
6 ~~courts to use the services of an official court reporter in civil~~
7 ~~proceedings.~~

8 ~~SECTION 1. Section 68085.1 of the Government Code, as~~
9 ~~amended by Section 4 of Chapter 457 of the Statutes of 2009, is~~
10 ~~amended to read:~~

11 ~~68085.1. (a) This section applies to all fees and fines that are~~
12 ~~collected on or after January 1, 2006, under all of the following:~~

13 ~~(1) Sections 177.5, 209, 403.060, 491.150, 631.3, 683.150,~~
14 ~~704.750, 708.160, 724.100, 1134, 1161.2, 1218, and 1993.2 of,~~
15 ~~subdivision (g) of Section 411.20 and subdivisions (c) and (g) of~~
16 ~~Section 411.21 of, and Chapter 5.5 (commencing with Section~~
17 ~~116.110) of Title 1 of Part 1 of, the Code of Civil Procedure.~~

18 ~~(2) Section 3112 of the Family Code.~~

19 ~~(3) Section 31622 of the Food and Agricultural Code.~~

20 ~~(4) Subdivision (d) of Section 6103.5, Sections 68086 and~~
21 ~~68086.1, subdivision (d) of Section 68511.3, Sections Section~~

1 68926.1 and 69953.5, and Chapter 5.8 (commencing with Section
2 70600).

3 (5) Section 103470 of the Health and Safety Code.

4 (6) Subdivisions (b) and (c) of Section 166 and Section 1214.1
5 of the Penal Code.

6 (7) Sections 1835, 1851.5, 2343, 7660, and 13201 of the Probate
7 Code.

8 (8) Sections 14607.6 and 16373 of the Vehicle Code.

9 (9) Section 71386 of this code, Sections 304, 7851.5, and 9002
10 of the Family Code, and Section 1513.1 of the Probate Code, if
11 the reimbursement is for expenses incurred by the court.

12 (10) Section 3153 of the Family Code, if the amount is paid to
13 the court for the cost of counsel appointed by the court to represent
14 a child.

15 (b) On and after January 1, 2006, each superior court shall
16 deposit all fees and fines listed in subdivision (a), as soon as
17 practicable after collection and on a regular basis, into a bank
18 account established for this purpose by the Administrative Office
19 of the Courts. Upon direction of the Administrative Office of the
20 Courts, the county shall deposit civil assessments under Section
21 1214.1 of the Penal Code and any other money it collects under
22 the sections listed in subdivision (a) as soon as practicable after
23 collection and on a regular basis into the bank account established
24 for this purpose and specified by the Administrative Office of the
25 Courts. The deposits shall be made as required by rules adopted
26 by, and financial policies and procedures authorized by, the Judicial
27 Council under subdivision (a) of Section 77206. Within 15 days
28 after the end of the month in which the fees and fines are collected,
29 each court, and each county that collects any fines or fees under
30 subdivision (a), shall provide the Administrative Office of the
31 Courts with a report of the fees by categories as specified by the
32 Administrative Office of the Courts. The Administrative Office
33 of the Courts and any court may agree upon a time period greater
34 than 15 days, but in no case more than 30 days after the end of the
35 month in which the fees and fines are collected. The fees and fines
36 listed in subdivision (a) shall be distributed as provided in this
37 section.

38 (c) (1) Within 45 calendar days after the end of the month in
39 which the fees and fines listed in subdivision (a) are collected, the

1 Administrative Office of the Courts shall make the following
2 distributions:

3 (A) To the small claims advisory services, as described in
4 subdivision (f) of Section 116.230 of the Code of Civil Procedure.

5 (B) To dispute resolution programs, as described in subdivision
6 (b) of Section 68085.3 and subdivision (b) of Section 68085.4.

7 (C) To the county law library funds, as described in Sections
8 116.230 and 116.760 of the Code of Civil Procedure, subdivision
9 (b) of Section 68085.3, subdivision (b) of Section 68085.4, and
10 Section 70621 of this code, and Section 14607.6 of the Vehicle
11 Code.

12 (D) To the courthouse construction funds in the Counties of
13 Riverside, San Bernardino, and San Francisco, as described in
14 Sections 70622, 70624, and 70625.

15 (E) Commencing July 1, 2011, to the Trial Court Trust Fund,
16 as described in subdivision (d) of Section 70626, to be used by the
17 Judicial Council to implement and administer the civil
18 representation pilot program under Section 68651.

19 (2) If any distribution under this subdivision is delinquent, the
20 Administrative Office of the Courts shall add a penalty to the
21 distribution as specified in subdivision (i).

22 (d) Within 45 calendar days after the end of the month in which
23 the fees and fines listed in subdivision (a) are collected, the
24 amounts remaining after the distributions in subdivision (c) shall
25 be transmitted to the State Treasury for deposit in the Trial Court
26 Trust Fund and other funds as required by law. This remittance
27 shall be accompanied by a remittance advice identifying the
28 collection month and the appropriate account in the Trial Court
29 Trust Fund or other fund to which it is to be deposited. Upon the
30 receipt of any delinquent payment required under this subdivision,
31 the Controller shall calculate a penalty as provided under
32 subdivision (i).

33 (e) From the money transmitted to the State Treasury under
34 subdivision (d), the Controller shall make deposits as follows:

35 (1) Into the State Court Facilities Construction Fund, the Judges'
36 Retirement Fund, and the Equal Access Fund, as described in
37 subdivision (c) of Section 68085.3 and subdivision (c) of Section
38 68085.4.

1 (2) Into the Health Statistics Special Fund, as described in
2 subdivision (b) of Section 70670 of this code and Section 103730
3 of the Health and Safety Code.

4 (3) Into the Family Law Trust Fund, as described in Section
5 70674.

6 (4) Into the Immediate and Critical Needs Account of the State
7 Court Facilities Construction Fund, established in Section 70371.5,
8 as described in Sections 68085.3, 68085.4, and 70657.5, and
9 subdivision (e) of Section 70617.

10 (5) The remainder of the money shall be deposited into the Trial
11 Court Trust Fund.

12 (f) The amounts collected by each superior court under Section
13 116.232, subdivision (g) of Section 411.20, and subdivision (g) of
14 Section 411.21 of the Code of Civil Procedure, Sections 304, 3112,
15 3153, 7851.5, and 9002 of the Family Code, subdivision (d) of
16 Section 6103.5, subdivision (d) of Section 68511.3 and Sections
17 68926.1, ~~69953.5~~, 70627, 70631, 70640, 70661, 70678, and 71386
18 of this code, and Sections 1513.1, 1835, 1851.5, and 2343 of the
19 Probate Code shall be added to the monthly apportionment for that
20 court under subdivision (a) of Section 68085.

21 (g) If any of the fees provided in subdivision (a) are partially
22 waived by court order or otherwise reduced, and the fee is to be
23 divided between the Trial Court Trust Fund and any other fund or
24 account, the amount of the reduction shall be deducted from the
25 amount to be distributed to each fund in the same proportion as
26 the amount of each distribution bears to the total amount of the
27 fee. If the fee is paid by installment payments, the amount
28 distributed to each fund or account from each installment shall
29 bear the same proportion to the installment payment as the full
30 distribution to that fund or account does to the full fee. If a court
31 collects a fee that was incurred before January 1, 2006, under a
32 provision that was the predecessor to one of the paragraphs
33 contained in subdivision (a), the fee may be deposited as if it were
34 collected under the paragraph of subdivision (a) that corresponds
35 to the predecessor of that paragraph and distributed in prorated
36 amounts to each fund or account to which the fee in subdivision
37 (a) must be distributed.

38 (h) Except as provided in Sections 470.5 and 6322.1 of the
39 Business and Professions Code, and Sections 70622, 70624, and
40 70625 of this code, no agency may take action to change the

1 amounts allocated to any of the funds described in subdivision (c),
2 (d), or (e).

3 (i) The amount of the penalty on any delinquent payment under
4 subdivision (c) or (d) shall be calculated by multiplying the amount
5 of the delinquent payment at a daily rate equivalent to 1 ½ percent
6 per month for the number of days the payment is delinquent. The
7 penalty shall be paid from the Trial Court Trust Fund. Penalties
8 on delinquent payments under subdivision (d) shall be calculated
9 only on the amounts to be distributed to the Trial Court Trust Fund
10 and the State Court Facilities Construction Fund, and each penalty
11 shall be distributed proportionately to the funds to which the
12 delinquent payment was to be distributed.

13 (j) If a delinquent payment under subdivision (c) or (d) results
14 from a delinquency by a superior court under subdivision (b), the
15 court shall reimburse the Trial Court Trust Fund for the amount
16 of the penalty. Notwithstanding Section 77009, any penalty on a
17 delinquent payment that a court is required to reimburse pursuant
18 to this section shall be paid from the court operations fund for that
19 court. The penalty shall be paid by the court to the Trial Court
20 Trust Fund no later than 45 days after the end of the month in
21 which the penalty was calculated. If the penalty is not paid within
22 the specified time, the Administrative Office of the Courts may
23 reduce the amount of a subsequent monthly allocation to the court
24 by the amount of the penalty on the delinquent payment.

25 (k) If a delinquent payment under subdivision (c) or (d) results
26 from a delinquency by a county in transmitting fees and fines listed
27 in subdivision (a) to the bank account established for this purpose,
28 as described in subdivision (b), the county shall reimburse the Trial
29 Court Trust Fund for the amount of the penalty. The penalty shall
30 be paid by the county to the Trial Court Trust Fund no later than
31 45 days after the end of the month in which the penalty was
32 calculated.

33 (l) This section shall become inoperative on July 1, 2017, and,
34 as of January 1, 2018, is repealed, unless a later enacted statute,
35 that becomes operative on or before January 1, 2018, deletes or
36 extends the dates on which it becomes inoperative and is repealed.

37 *SEC. 2. Section 68085.1 of the Government Code, as added*
38 *by Section 5 of Chapter 457 of the Statutes of 2009, is amended*
39 *to read:*

1 68085.1. (a) This section applies to all fees and fines that are
2 collected on or after January 1, 2006, under all of the following:

3 (1) Sections 177.5, 209, 403.060, 491.150, 631.3, 683.150,
4 704.750, 708.160, 724.100, 1134, 1161.2, 1218, and 1993.2 of,
5 subdivision (g) of Section 411.20 and subdivisions (c) and (g) of
6 Section 411.21 of, and Chapter 5.5 (commencing with Section
7 116.110) of Title 1 of Part 1 of, the Code of Civil Procedure.

8 (2) Section 3112 of the Family Code.

9 (3) Section 31622 of the Food and Agricultural Code.

10 (4) Subdivision (d) of Section 6103.5, ~~Sections 68086 and~~
11 ~~68086.1~~, subdivision (d) of Section 68511.3, ~~Sections~~ *Section*
12 ~~68926.1 and 69953.5~~, and Chapter 5.8 (commencing with Section
13 70600).

14 (5) Section 103470 of the Health and Safety Code.

15 (6) Subdivisions (b) and (c) of Section 166 and Section 1214.1
16 of the Penal Code.

17 (7) Sections 1835, 1851.5, 2343, 7660, and 13201 of the Probate
18 Code.

19 (8) Sections 14607.6 and 16373 of the Vehicle Code.

20 (9) Section 71386 of this code, Sections 304, 7851.5, and 9002
21 of the Family Code, and Section 1513.1 of the Probate Code, if
22 the reimbursement is for expenses incurred by the court.

23 (10) Section 3153 of the Family Code, if the amount is paid to
24 the court for the cost of counsel appointed by the court to represent
25 a child.

26 (b) On and after January 1, 2006, each superior court shall
27 deposit all fees and fines listed in subdivision (a), as soon as
28 practicable after collection and on a regular basis, into a bank
29 account established for this purpose by the Administrative Office
30 of the Courts. Upon direction of the Administrative Office of the
31 Courts, the county shall deposit civil assessments under Section
32 1214.1 of the Penal Code and any other money it collects under
33 the sections listed in subdivision (a) as soon as practicable after
34 collection and on a regular basis into the bank account established
35 for this purpose and specified by the Administrative Office of the
36 Courts. The deposits shall be made as required by rules adopted
37 by, and financial policies and procedures authorized by, the Judicial
38 Council under subdivision (a) of Section 77206. Within 15 days
39 after the end of the month in which the fees and fines are collected,
40 each court, and each county that collects any fines or fees under

subdivision (a), shall provide the Administrative Office of the Courts with a report of the fees by categories as specified by the Administrative Office of the Courts. The Administrative Office of the Courts and any court may agree upon a time period greater than 15 days, but in no case more than 30 days after the end of the month in which the fees and fines are collected. The fees and fines listed in subdivision (a) shall be distributed as provided in this section.

(c) (1) Within 45 calendar days after the end of the month in which the fees and fines listed in subdivision (a) are collected, the Administrative Office of the Courts shall make the following distributions:

(A) To the small claims advisory services, as described in subdivision (f) of Section 116.230 of the Code of Civil Procedure.

(B) To dispute resolution programs, as described in subdivision (b) of Section 68085.3 and subdivision (b) of Section 68085.4.

(C) To the county law library funds, as described in Sections 116.230 and 116.760 of the Code of Civil Procedure, subdivision (b) of Section 68085.3, subdivision (b) of Section 68085.4, and Section 70621 of this code, and Section 14607.6 of the Vehicle Code.

(D) To the courthouse construction funds in the Counties of Riverside, San Bernardino, and San Francisco, as described in Sections 70622, 70624, and 70625.

(2) If any distribution under this subdivision is delinquent, the Administrative Office of the Courts shall add a penalty to the distribution as specified in subdivision (i).

(d) Within 45 calendar days after the end of the month in which the fees and fines listed in subdivision (a) are collected, the amounts remaining after the distributions in subdivision (c) shall be transmitted to the State Treasury for deposit in the Trial Court Trust Fund and other funds as required by law. This remittance shall be accompanied by a remittance advice identifying the collection month and the appropriate account in the Trial Court Trust Fund or other fund to which it is to be deposited. Upon the receipt of any delinquent payment required under this subdivision, the Controller shall calculate a penalty as provided under subdivision (i).

(e) From the money transmitted to the State Treasury under subdivision (d), the Controller shall make deposits as follows:

1 (1) Into the State Court Facilities Construction Fund, the Judges'
2 Retirement Fund, and the Equal Access Fund, as described in
3 subdivision (c) of Section 68085.3 and subdivision (c) of Section
4 68085.4.

5 (2) Into the Health Statistics Special Fund, as described in
6 subdivision (b) of Section 70670 of this code and Section 103730
7 of the Health and Safety Code.

8 (3) Into the Family Law Trust Fund, as described in Section
9 70674.

10 (4) Into the Immediate and Critical Needs Account of the State
11 Court Facilities Construction Fund, established in Section 70371.5,
12 as described in Sections 68085.3, 68085.4, and 70657.5, and
13 subdivision (e) of Section 70617.

14 (5) The remainder of the money shall be deposited into the Trial
15 Court Trust Fund.

16 (f) The amounts collected by each superior court under Section
17 116.232, subdivision (g) of Section 411.20, and subdivision (g) of
18 Section 411.21 of the Code of Civil Procedure, Sections 304, 3112,
19 3153, 7851.5, and 9002 of the Family Code, subdivision (d) of
20 Section 6103.5, subdivision (d) of Section 68511.3 and Sections
21 68926.1, ~~69953.5~~, 70627, 70631, 70640, 70661, 70678, and 71386
22 of this code, and Sections 1513.1, 1835, 1851.5, and 2343 of the
23 Probate Code shall be added to the monthly apportionment for that
24 court under subdivision (a) of Section 68085.

25 (g) If any of the fees provided in subdivision (a) are partially
26 waived by court order or otherwise reduced, and the fee is to be
27 divided between the Trial Court Trust Fund and any other fund or
28 account, the amount of the reduction shall be deducted from the
29 amount to be distributed to each fund in the same proportion as
30 the amount of each distribution bears to the total amount of the
31 fee. If the fee is paid by installment payments, the amount
32 distributed to each fund or account from each installment shall
33 bear the same proportion to the installment payment as the full
34 distribution to that fund or account does to the full fee. If a court
35 collects a fee that was incurred before January 1, 2006, under a
36 provision that was the predecessor to one of the paragraphs
37 contained in subdivision (a), the fee may be deposited as if it were
38 collected under the paragraph of subdivision (a) that corresponds
39 to the predecessor of that paragraph and distributed in prorated

1 amounts to each fund or account to which the fee in subdivision
2 (a) must be distributed.

3 (h) Except as provided in Sections 470.5 and 6322.1 of the
4 Business and Professions Code, and Sections 70622, 70624, and
5 70625 of this code, no agency may take action to change the
6 amounts allocated to any of the funds described in subdivision (c),
7 (d), or (e).

8 (i) The amount of the penalty on any delinquent payment under
9 subdivision (c) or (d) shall be calculated by multiplying the amount
10 of the delinquent payment at a daily rate equivalent to 1 ½ percent
11 per month for the number of days the payment is delinquent. The
12 penalty shall be paid from the Trial Court Trust Fund. Penalties
13 on delinquent payments under subdivision (d) shall be calculated
14 only on the amounts to be distributed to the Trial Court Trust Fund
15 and the State Court Facilities Construction Fund, and each penalty
16 shall be distributed proportionately to the funds to which the
17 delinquent payment was to be distributed.

18 (j) If a delinquent payment under subdivision (c) or (d) results
19 from a delinquency by a superior court under subdivision (b), the
20 court shall reimburse the Trial Court Trust Fund for the amount
21 of the penalty. Notwithstanding Section 77009, any penalty on a
22 delinquent payment that a court is required to reimburse pursuant
23 to this section shall be paid from the court operations fund for that
24 court. The penalty shall be paid by the court to the Trial Court
25 Trust Fund no later than 45 days after the end of the month in
26 which the penalty was calculated. If the penalty is not paid within
27 the specified time, the Administrative Office of the Courts may
28 reduce the amount of a subsequent monthly allocation to the court
29 by the amount of the penalty on the delinquent payment.

30 (k) If a delinquent payment under subdivision (c) or (d) results
31 from a delinquency by a county in transmitting fees and fines listed
32 in subdivision (a) to the bank account established for this purpose,
33 as described in subdivision (b), the county shall reimburse the Trial
34 Court Trust Fund for the amount of the penalty. The penalty shall
35 be paid by the county to the Trial Court Trust Fund no later than
36 45 days after the end of the month in which the penalty was
37 calculated.

38 (l) This section shall become operative on July 1, 2017.

1 ~~SEC. 2.~~

2 SEC. 3. Section 68086 of the Government Code is amended
3 to read:

4 68086. (a) The following provisions apply in superior court:

5 (1) In addition to any other fee required in civil actions or cases,
6 ~~for each proceeding lasting more than one hour, a fee equal to the~~
7 ~~actual cost of providing that service shall be charged per one-half~~
8 ~~day of services to the parties; to the parties for each proceeding~~
9 ~~lasting more than __ minutes, on a pro rata basis, for the actual~~
10 ~~cost of providing the services of an official court reporter on the~~
11 ~~first and each succeeding judicial day those services are provided~~
12 ~~pursuant to Section 269 of the Code of Civil Procedure.~~

13 (2) All parties shall deposit their pro rata shares of these fees
14 with the clerk of the court as specified by the court, but not later
15 than the conclusion of each day's court session.

16 ~~(3) For purposes of this section, "one-half day" means any~~
17 ~~period of judicial time, in excess of one hour, but not more than~~
18 ~~four hours, during either the morning or afternoon court session.~~

19 ~~(4)~~

20 (3) The costs for the services of the official court reporter shall
21 be recoverable as taxable costs by the prevailing party as otherwise
22 provided by law.

23 ~~(5)~~

24 (4) The Judicial Council shall adopt rules to ensure all of the
25 following:

26 (A) That parties are given adequate and timely notice of the
27 availability of an official court reporter.

28 (B) That if an official court reporter is not available, a party
29 may arrange for the presence of a certified shorthand reporter to
30 serve as an official pro tempore reporter, the costs therefor
31 recoverable as provided in paragraph ~~(4)~~ (3).

32 (C) That if the services of an official pro tempore reporter are
33 utilized pursuant to subparagraph (B), no other charge shall be
34 made to the parties.

35 (b) The fees collected pursuant to this section shall be used only
36 to pay *the cost* for services of an official court reporter in civil
37 proceedings and shall be retained by the court in which the fee
38 was collected.

1 (c) It is the intent of the Legislature to continue an incentive to
2 courts to use the services of an official court reporter in civil
3 proceedings.

4 (d) The Judicial Council shall report on or before February 1
5 of each year to the Joint Legislative Budget Committee on the fees
6 collected by courts pursuant to this section and Section 68086.1
7 and on the total amount spent for services of official court reporters
8 in civil proceedings statewide in the prior fiscal year.

9 SEC. 4. Section 68086.1 of the Government Code is amended
10 to read:

11 68086.1. (a) For each three-hundred-fifty-five-dollar (\$355)
12 fee collected under Section 70611, 70612, 70650, or 70670, thirty
13 dollars (\$30) ~~of the amount distributed to the Trial Court Trust~~
14 ~~Fund~~ shall be retained by the court in which the fee was collected
15 and shall be used for services of an official court reporter in civil
16 proceedings.

17 (b) For each three-hundred-thirty-dollar (\$330) fee collected
18 under subdivision (a) of Section 70613 or subdivision (a) of Section
19 70614, thirty dollars (\$30) ~~of the amount distributed to the Trial~~
20 ~~Court Trust Fund~~ shall be retained by the court in which the fee
21 was collected and shall be used for services of an official court
22 reporter in civil proceedings.

23 (c) It is the intent of the Legislature, in approving the
24 thirty-dollar (\$30) distribution out of each filing fee listed in
25 subdivisions (a) and (b), to continue an incentive to courts to use
26 the services of an official court reporter in civil proceedings.
27 ~~However, nothing in this section shall affect the Judicial Council's~~
28 ~~authority to allocate these revenues to replace reductions in the~~
29 ~~General Fund appropriation to the Trial Court Trust Fund.~~

30 ~~(d) The portion of the distribution to the Trial Court Trust Fund~~
31 ~~to be used for services of an official court reporter in civil~~
32 ~~proceedings pursuant to subdivisions (a) and (b) shall be used only~~
33 ~~in trial courts that utilize the services of an official court reporter~~
34 ~~in civil proceedings.~~

35 SEC. 5. Section 69953.5 of the Government Code is amended
36 to read:

37 69953.5. Notwithstanding any other provision of law, whenever
38 a daily transcript is ordered in a civil case requiring the services
39 of more than one phonographic reporter, the party requesting the
40 daily transcript, in addition to any other required fee, shall pay a

1 fee per day, or portion thereof, equal to the per diem rate for pro
2 tempore reporters established by statute, local rule, or ordinance
3 for the services of each additional reporter for the first day and
4 each subsequent day the additional reporters are required. This fee
5 shall be ~~distributed to~~ *retained by* the court in which it was
6 collected to offset the cost of the additional reporter.

O